

***IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND***

STEVEN MARKOS

*

Plaintiff

*

v.

*

Case No.: 8:22-cv-01797-GJH

HOUSE & HOME REALTORS, INC.
D/B/A CENTURY 21 THE REAL ESTATE
CENTRE

*

*

Defendant

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* * * * *

DEFENDANT’S ANSWER TO COMPLAINT

Defendant House & Home Realtors, Inc. d/b/a Century 21 The Real Estate Centre (“Defendant”), by its undersigned counsel, respectfully files this Answer to the Complaint filed against it by Plaintiff Steven Markos (“Plaintiff”), and in support thereof, states:

I. RESPONSES TO SPECIFIC ALLEGATIONS

Substance of the Action¹

1. The allegations in paragraph 1 merely assert legal conclusions to which no response is required. To the extent a response is required, Defendant denies such legal conclusions.

Parties

2. Defendant lacks sufficient information to admit or deny the allegations in paragraph 2 and, therefore, denies same.

3. Admitted.

¹ For ease of reference, Defendant utilizes the headings in Plaintiff’s Complaint. Defendant does not admit any aspect of such headings and specifically denies any characterizations or inferences therefrom.

4. Admitted.

Jurisdiction and Venue

5. The allegations in paragraph 5 merely assert legal conclusions to which no response is required. To the extent a response is required, Defendant denies such legal conclusions.

6. The allegations in paragraph 6 merely assert legal conclusions to which no response is required. To the extent a response is required, Defendant denies such legal conclusions.

7. The allegations in paragraph 7 merely assert legal conclusions to which no response is required. To the extent a response is required, Defendant denies such legal conclusions.

The Copyrighted Work

8. Defendant lacks sufficient information to admit or deny the allegations in paragraph 8 and, therefore, denies same.

9. Defendant lacks sufficient information to admit or deny the allegations in paragraph 9 and, therefore, denies same.

10. Defendant lacks sufficient information to admit or deny the allegations in paragraph 10 and, therefore, denies same.

11. Defendant lacks sufficient information to admit or deny the allegations in paragraph 11 and, therefore, denies same.

12. Defendant lacks sufficient information to admit or deny the allegations in paragraph 12 and, therefore, denies same.

House & Home's Infringing Conduct

13. Admitted.

14. Defendant lacks sufficient information to admit or deny the allegations in paragraph 12 and, therefore, denies same.

- 15. Admitted.
- 16. Denied.
- 17. Denied.
- 18. Denied.
- 19. Denied.
- 20. Denied.
- 21. Denied.
- 22. Denied.

**First Claim for Relief
Copyright Infringement
(17 U.S.C. §§ 101 *et seq.*)**

23. Defendant restates and incorporates its preceding answers as if set forth fully herein.

24. Defendant lacks sufficient information to admit or deny the allegations in paragraph 24 and, therefore, denies same.

- 25. Denied.
- 26. Denied.
- 27. Denied.
- 28. Denied.
- 29. Denied.
- 30. Denied.

GENERAL DENIAL

The remaining allegations in Plaintiff's Complaint include a prayer for relief, to which no response is required. To the extent a response is required, Defendant denies the allegations

contained therein and generally denies that Plaintiff is entitled to any relief as alleged in the Complaint or otherwise.

AFFIRMATIVE AND OTHER DEFENSES

Defendant, by counsel, further states:

1. The Complaint fails to state any claim upon which relief can be granted.
2. Defendant did not commit any of the wrongs alleged in the Complaint.
3. Plaintiff's claims are barred by the doctrines of waiver, laches, and/or estoppel.
4. Plaintiff has not incurred any damages or has failed to mitigate his alleged damages.
5. Plaintiff is not the owner of the work at issue.
6. Plaintiff is not entitled to statutory damages, attorneys' fees or costs under the Unites States Copyright Act (17 U.S.C. §§ 505 and 1203(b)).
7. Defendant further reserves the right to raise any defense, in law, fact or equity, as it further investigates this matter through discovery and otherwise.

JURY DEMAND

Defendant respectfully requests a trial by jury on all issues so triable.

WHEREFORE, Defendant respectfully requests that the Court dismiss the Complaint in its entirety with prejudice, award it attorneys' fees and costs consistent with the United States Copyright Act (17 U.S.C. §§ 505 and 1203(b)), and grant such other and further relief as it deems appropriate.

Dated: August 16, 2022

Respectfully submitted,

/s/Steven E. Tiller

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Attorneys for Defendant

House & Home Realtors, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of August, 2022, a copy of the Defendant's Answer was sent to all counsel of record by the Court's ECF filing system.

/s/ Steven E. Tiller

Steven E. Tiller